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4 UNITED STATES DISTRICT COURT  
5 EASTERN DISTRICT OF WASHINGTON

6 DAVID EUGENE HUTSON,

7 Plaintiff,

8 v.

9 COMMISSIONER OF SOCIAL  
SECURITY,

10 Defendants.

NO: 2:16-CV-00228-RMP

ORDER ADOPTING REPORT AND  
RECOMMENDATION AND  
CLOSING FILE

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12 **BEFORE THE COURT** is Magistrate Judge Rodgers' July 21, 2017

13 Report and Recommendation to grant Defendant's Motion for Summary

14 Judgement, ECF No. 13, and deny Plaintiff's Motion for Summary Judgment, ECF

15 No. 12. ECF No. 15. Objections were due on or before August 4, 2017, and

16 neither party submitted timely objections to the Report and Recommendation.

17 Having reviewed the July 21, 2017 Report and Recommendation and there  
18 being no objections, the Court **ADOPTS** the Report and Recommendation, ECF  
19 No. 15, in its entirety.

20 Accordingly, **IT IS ORDERED:**

1           1.     Defendant's Motion for Summary Judgment, **ECF No. 13**, is  
2 **GRANTED.**

3           2.     Plaintiff's Motion for Summary Judgment, **ECF No. 12**, is **DENIED.**

4           The District Court Executive is directed to file this Order and provide a copy  
5 to counsel for Plaintiff and Defendant. **Judgment shall be entered for Defendant**  
6 **and the file shall be CLOSED.**

7           **DATED** this August 7, 2017.

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9                       s/Rosanna Malouf Peterson  
10                      ROSANNA MALOUF PETERSON  
11                      United States District Judge  
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